

### *Amendments*

#### *In the Claims:*

Please amend claims 3, 9 and 17 as follows:

Claim 3, line 2, delete "1" and insert therefore --2--.

Claim 9, line 2, delete "7" and insert therefore --8--.

17. (Amended) A pharmaceutical composition comprising a nucleic acid encoding a nitric oxide synthase operably linked to an expression control element and a [means for transducing] pharmaceutically acceptable carrier vehicle, wherein said expression control element selectively expresses said nucleic acid encoding a nitric oxide synthase in [said nucleic acid into] pulmonary tissue.

Please add the following new claim 21:

--21. The pharmaceutical composition as claimed in claim 17, wherein said pharmaceutically acceptable carrier vehicle is suitable for aerosol delivery.--

### *Remarks*

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendments, claims 1-21 are pending in the application, with 1, 8 and 17 being the independent claims. These amendments are believed to introduce no new matter, and their entry is respectfully requested. The amendments to the claims have